

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 1:06cr239

UNITED STATES OF AMERICA,)

)

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vs.

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KENNETH LAMONT DAVIS.)

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ORDER

THIS MATTER is before the Court on the following pleadings:

1. The Government's motion *in limine* to preclude the admission of any evidence concerning the acquittal of the Defendant in state court of charges similar to those for which he now stands indicted;
2. The Government's motion for disclosure of an alibi defense; and
3. Two separate notices of intent to offer evidence pursuant to Federal Rule of Evidence 404(b), both filed December 19, 2006.

The parties are hereby notified that these motions will be ruled on at the time of trial.

IT IS, THEREFORE, ORDERED that the above motions are deferred until the time of trial.

Signed: December 21, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

